

October 3, 2008

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Ex Parte Communication

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., Room TW-325
Washington, DC 20554

**Re: True LD, LLC and STi Prepaid, LLC
WC Docket No. 08-92**

Dear Ms. Dortch,

We write on behalf of APCC Services, Inc., to update the record in this proceeding regarding the continuing failure of True LD, LLC's ("True LD's") "alter egos," West Star Telecommunications, LLC ("West Star"), and Global Access LD, LLC (Global Access"), and their principal, Jeffrey Larsen, to respond to any of the Notices of Apparent Liability ("NALs")¹ and informal complaints pending against them.²

On August 13, 2008, the day before responses were due, Mr. Larsen faxed the Enforcement Bureau a letter in File No. EB-08-MDIC-0042, requesting an extension of time to respond to APCC Services' June 30, 2008, complaint.³ The Bureau granted a 30-day extension, and also encouraged Mr. Larsen to submit responses, long overdue, to the numerous other pending informal complaints and NALs within the same time frame. *See* Exhibit 2 hereto. On September 10, 2008, Mr. Larsen sent an e-mail to the Enforcement Bureau stating that he had "finally been able to retained [sic] counsel to help me get these informal complaints answered"

¹ *See West Star Telecommunications, LLC*, Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 2008-3209-0001, 23 FCC Rcd 2707 (rel. Feb. 19, 2008) ("*West Star NAL*"); *Global Access, Inc.*, Notice of Apparent Liability for Forfeiture, NAL/Acct. No. 2008-3209-0006, DA 08-1366 (rel. June 10, 2008) ("*Global Access NAL*").

² To our knowledge, West Star and Global Access have never responded to APCC Services' original June 26, 2006, informal complaint against West Star, to the numerous other informal complaints filed against West Star and Global Access, or to the NALs issued against West Star and Global Access. Although True LD itself did submit a letter in answer to APCC Services' June 30, 2008, File No. EB-08-MDIC-0042, informal complaint, the letter was utterly unresponsive to the complaint. *See* APCC Services' reply, a copy of which was submitted in this proceeding on August 27, 2008.

³ *See* Exhibit 1 hereto. To our knowledge, this is the first time that Mr. Larsen has complied with any of the numerous Commission directives served on Mr. Larsen.

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but that “[w]e may need another week to get this done.” The Bureau replied that he should contact counsel for APCC Services if a further extension was needed.

It is now more than two weeks after the extended September 15, 2008, due date, and APCC Services has not heard from Mr. Larsen nor received a response to the pending informal complaints. APCC Services is concerned, therefore, that Mr. Larsen may be merely continuing his strategy of delay, hoping to “run out the clock” on the pending asset transfer application.⁴ By continuing to defer any response to the pending complaints and NALs, and thus depriving the Commission of any further information relevant to the pending transfer application, Mr. Larsen may hope that the Commission will somehow conclude it has insufficient reason to deny the application.

The Commission must not allow Mr. Larsen’s strategy of delay to frustrate its processes. The burden is on the applicants to justify their proposed transfer of control. As a *threshold* condition, each of Mr. Larsen’s companies must provide complete and responsive answers to the pending complaints and NALs.

As discussed in APCC Services’ prior filings, the Commission should not grant the above-referenced applications until it has fully investigated the relationships among the various entities and Mr. Larsen and their respective involvement in the various violations of Commission rules. The Commission should not act on the pending transfer application until, at a minimum, both Jeff Larsen and the Larsen-owned carriers (1) resolve the pending NALs, (2) correct the violations raised in those proceedings by responding to the pending informal complaints, and (3) submit to the Commission’s jurisdiction in all pending NAL and complaint proceedings. Further, in light of the history of evasion by these companies and the consequent danger that there will be insufficient assets to satisfy Commission orders to pay compensation, the Commission should require True LD to post security, out of the proceeds of the sale, sufficient to cover the total amount of unpaid compensation alleged in the pending complaints.

Sincerely,



Albert H. Kramer
Robert F. Aldrich

Enclosures

cc: Tracy Bridgham
Jodi May
Dennis Johnson

⁴ The Commission’s rules provide that “[e]xcept in extraordinary circumstances, final action on the application should be expected no later than 180 days from public notice that the application has been accepted for filing,” *i.e.*, in this case, December 22, 2008.

EXHIBIT 1

**West Star Telecommunications, LLC
Global Access LD, LLC**

August 13, 2008

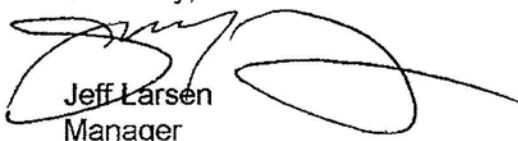
Tracy Bridgham
Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 Twelfth St., S.W.
Washington D.C. 20554

**RE: Request for Extension of Time Informal FCC Complaint on behalf of
West Star Telecommunications, LLC and Global Access LD, LLC
File No, EB-08-MDIC-0042**

Dear Ms. Bridgham:

I am writing to request an extension to respond to the Informal FCC Complaint filed against West Star Telecommunications, LLC and Global Access LD, LLC. I have attempted to retain two separate attorneys in Salt Lake City, Utah and both attorneys have had a conflict of interest with my companies. I just received the last rejection for representation this morning. I am requesting the extension of time so that my companies may have benefit of counsel when I respond to this complaint. I respectfully request an extension of 30 days so that I may retain counsel and have my attorney respond in this matter. I have faxed and mailed this letter to APCC Services today as well. Please feel free to respond to me at jeff@weststar.com or 801-792-4341.

Sincerely,



Jeff Larsen
Manager

West Star Telecommunications, LLC
Global Access LD, LLC

EXHIBIT 2

Aldrich, Robert

From: Tracy Bridgham [Tracy.Bridgham@fcc.gov]
Sent: Wednesday, August 27, 2008 10:33 AM
To: Kramer, Al
Cc: Rosemary McEnery
Subject: FW: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Dear Al,

Please see below email sent last night extending the response date for Mr. Jeff Larsen to Monday, September 15 for the above-captioned informal complaint.

From: Tracy Bridgham
Sent: Tue 8/26/2008 7:13 PM
To: Tracy Bridgham; 'jlarsen@osptelecom.com'
Cc: Rosemary McEnery
Subject: RE: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Mr. Larsen,

Just a follow up to our phone call of this evening. You are granted an extension until Monday, September 15, 2008 to respond to the above-captioned informal complaint. Per our conversation, we will forward copies of the other informal complaints and outstanding NALs to you as well so that responses can be prepared within that same timeframe. Please keep me posted on your efforts to retain counsel this week. I'll be happy to forward copies of outstanding matters to him/her as well.

From: Tracy Bridgham
Sent: Tuesday, August 26, 2008 2:59 PM
To: 'jlarsen@osptelecom.com'
Cc: Rosemary McEnery
Subject: RE: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Sounds good, we're available for about two more hours today.

From: jlarsen@osptelecom.com [mailto:jlarsen@osptelecom.com]

Sent: Tuesday, August 26, 2008 2:45 PM

To: Tracy Bridgham

Subject: Re: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

I will call you back this afternoon

Sent via BlackBerry from T-Mobile

From: "Tracy Bridgham" <Tracy.Bridgham@fcc.gov>

Date: Tue, 26 Aug 2008 14:42:29 -0400

To: Tracy Bridgham <Tracy.Bridgham@fcc.gov>; <jlarsen@osptelecom.com>

CC: Rosemary McEnery <Rosemary.McEnery@fcc.gov>; Sandra Gray-Fields <Sandra.Gray-Fields@fcc.gov>

Subject: RE: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Dear Mr. Larsen,

This email follows up on my voicemail message to you this afternoon. We have been trying to reach you regarding your request for an extension to respond to the above-captioned informal complaint. The telephone number you provided in your request for extension is 801-792-4341. Each time I call that number, however, the phone just rings over to voicemail. Please contact me at the below listed number. If you are unable to reach me, please call Ms. Rosemary McEnery at 202-418-7336. Thank you.

Tracy Bridgham

Special Counsel

Market Disputes Resolution Division

202-418-0967 (ph); 202-418-0435

From: Tracy Bridgham

Sent: Friday, August 22, 2008 4:32 PM

To: 'jlarsen@osptelecom.com'

Cc: Rosemary McEnery; Sandra Gray-Fields

Subject: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Dear Mr. Larsen,

I was unable to reach you by phone today to discuss your request for an extension to respond to the above-captioned matter. As soon as possible, please contact me at the below listed number. If you are unable to reach me, please call Ms. Rosemary McEnery at 202-418-7336. Thank you.

Tracy Bridgham
Special Counsel
Market Disputes Resolution Division
202-418-0967 (ph); 202-418-0435

EXHIBIT 3

Aldrich, Robert

From: Tracy Bridgham [Tracy.Bridgham@fcc.gov]
Sent: Wednesday, September 10, 2008 5:56 PM
To: jlarsen@osptelecom.com
Cc: Rosemary McEnery; Sandra Gray-Fields; Timothy B. Smith; Kramer, Al
Subject: RE: PDF Copies of Outstanding Informal Complaints and NALs Attached

Mr. Larsen,

Thank you for the update. Should a further extension be needed to respond to APCC's June 2008 informal complaint (EB-08-MDIC-0042), please contact counsel for APCC, Albert Kramer at 202-420-2226. As noted previously, although the responses for the other outstanding informal complaints and the two Notices of Apparent Liability (for failure to respond) are overdue, you are encouraged to respond to those matters as soon as possible.

From: jlarsen@osptelecom.com [mailto:jlarsen@osptelecom.com]
Sent: Wednesday, September 10, 2008 2:44 PM
To: Tracy Bridgham
Cc: Rosemary McEnery; Sandra Gray-Fields; Timothy B. Smith
Subject: Re: PDF Copies of Outstanding Informal Complaints and NALs Attached

Tracy,

I have finally been able to retained counsel to help me get these informal complaints answered. We may need another week to get this done. If you have any questions please contact me.

Jeff

Sent via BlackBerry from T-Mobile

From: "Tracy Bridgham" <Tracy.Bridgham@fcc.gov>
Date: Thu, 4 Sep 2008 16:43:52 -0400
To: Tracy Bridgham<Tracy.Bridgham@fcc.gov>; <jlarsen@osptelecom.com>
CC: Rosemary McEnery<Rosemary.McEnery@fcc.gov>; Sandra Gray-Fields<Sandra.Gray-Fields@fcc.gov>
Subject: PDF Copies of Outstanding Informal Complaints and NALs Attached

<<EB-08-MDIC-0042.pdf>>  <<DA 08-1366NAL.pdf>>

Dear Mr. Larsen,

In response to your August 30th email (copied below), please find PDF copies of the 2008 complaint and the two Notices of Apparent Liability. These were mailed last week to the Majestic Parkway address in Arizona per your direction to me. There are three documents attached to this email. In an earlier email, I provided PDF copies of the 2006 and 2007 complaints.

10/3/2008

From: jlarsen@osptelecom.com [<mailto:jlarsen@osptelecom.com>]

Sent: Saturday, August 30, 2008 12:14 PM

To: Tracy Bridgham

Cc: Rosemary McEnery

Subject: Re: Request for Extension of Time: EB 08-MDIC-0042 (True LD, WestStar, Global Access)

Tracy,

I still have not been able to retain proper counsel for these requests. I also didn't get the 6 informal complaints that were not responded to so I can do those also. Let me know when I can expect them.

Thanks